UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

PRIDDIS MUSIC, INC.,

Plaintiff,

-against-

TRANS WORLD ENTERTAINMENT CORPORATION,

Defendant.

Civil Action No. 05-CV-0491 (DNH/DRH)

DECLARATION OF J. MATTHEW DONOHUE

J. Matthew Donohue declares, pursuant to 28 U.S.C. Section 1746, that:

1. I am associated with the law firm of Boies, Schiller & Flexner LLP, attorneys for Defendant in the above-referenced matter. I submit this Declaration in support of Defendant's motion to partially dismiss the Complaint.

2. Attached hereto as Exhibit "A" is a true and correct copy of the Complaint.

3. Attached hereto as Exhibit "B" is a true and correct copy of the Letter Agreement between Priddis and TWEC dated May 25, 1999.

4. Attached hereto as Exhibit "C" is a true and correct copy of the Vendor Approval Request Form dated June 7, 1999.

5. Attached hereto as Exhibit "D" is a true and correct copy of the Point of Sale Display Agreement dated October 1, 1999.

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6. Attached hereto as Exhibit "E" is a true and correct copy of the Complaint in the case captioned Priddis Music, Inc, v. Trans World Entertainment, Inc., Civil No. 04091325, filed June 25, 2004 in the Third Judicial District Court, Salt Lake County, State of Utah.

7. Attached hereto as Exhibit "F" is a true and correct copy of the Order of Dismissal entered by the Honorable Anthony B. Quinn, District Court Judge, dated November 4, 1999.

Executed on June 3, 2005

J. Matthew Donohue